

Appl. No. 10/089,338
Docket No. AA431
Amdt. dated October 14, 2008
Reply to Decision on Appeal mailed on August 13, 2008
Customer No. 27752

REMARKS

Claim Status

Claims 1 and 10 are pending in the present application.

Claim 1 has been amended based upon the specification at, *inter alia*, page 20, lines 5-6; page 22, lines 12-15; and page 23, lines 9-10.

Rejection Under 35 USC §103(a) Over Mizutani in view of Hanser

Claims 1 and 10 have been rejected on appeal under 35 USC §103(a) as being unpatentable over Mizutani (US 5,683,377) in view of Hanser (WO 98/42286). Although Applicants do not agree with the decision on appeal and traverse the rejection, Applicants have now further amended the present claims to specify that the barrier sheet(s) is attached only to the flap(s) of the absorbent article to protect the flap adhesive from being fouled by the oil-based skin care composition.

In contrast, Mizutani requires that its release sheet 12 be fixedly attached to its wrapping sheet 2 by hot melt adhesive 21. The release sheet 12 then can cover the adhesive zones 9 upon folding of the sanitary napkin. Additionally, Mizutani does not teach or suggest adding a skin care composition on at least a portion of a topsheet.

In further contrast to the presently claimed invention, Hanser requires that its protective cover is attached to its topsheet upper surface. Furthermore, the protective cover of Hanser is designed to protect the lotion treated topsheet from contamination, whereas the barrier sheet of the presently claimed invention is designed to protect the flap adhesive from being fouled by the oil-based skin care composition.

The present claims specify that the barrier sheet(s) is attached only to the flap(s) of the absorbent article to protect the flap adhesive from being fouled by the oil-based skin care composition, which Applicants submit is not taught or suggested by Mizutani or Hanser, alone or in combination. Applicants thus submit that Claims 1 and 10 are patentable under 35 USC §103(a) over Mizutani in view of Hanser.

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Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Date: October 14, 2008
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